

Court of Appeals, State of Michigan

ORDER

Susan Collier v Jerry Pruzinsky

Docket No. 265894

LC No. 92-230961-CK

Alton T. Davis
Presiding Judge

Bill Schuette

Stephen L. Borrello
Judges

The Court orders that the motion for reconsideration is DENIED for lack of merit. Here, the October 25, 1993 default judgment is the final order for the case at hand. MCR 7.202(6)(a)(i), *Wickings v Arctic Enterprises Inc*, 244 Mich App 125, 136; 624 NW2d 197 (2000). Since the August 1, 1994 order, which was the subject matter of the claim of appeal in Docket No. 177963, denied defendants' motion to set this final order aside and since neither the December 6, 1994 order, which memorialized the parties' settlement agreement resolving the appeal, nor the September 27, 2005 order reversed it, all other orders enter after it, which would include the September 2005 order, are postjudgment orders that are not appealable as a matter of right. *Konal v Forlini*, 235 Mich App 69, 74-75; 596 NW2d 630 (1999). If appellants still want to challenge the September 2005 order, they must file a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(1) (judgment or order of the circuit court, court of claims, and recorder's court *which is not a final judgment appealable of right*) (emphasis added).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 06 2006

Date

Sandra Schultz Mengel
Chief Clerk